



B
93

PATENT
Customer No. 22,852
Attorney Docket No. 03806.0459-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Olivier Fagebaume et al.) Group Art Unit: 3624
)
Application No.: 10/075,369) Examiner: Weisberger, R.
)
Filed: February 15, 2002)
)
For: METHOD FOR PRODUCING BY)
ELECTROCHEMICAL PROCESS)
A CARBON-CONTAINING)
MATERIAL WITH ITS SURFACE)
MODIFIED BY ORGANIC)
GROUPS, USE OF THE)
MODIFIED MATERIAL)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Request for Correction of Notice of Allowance and Return of 1449 Form

This application was allowed on September 30, 2004. Applicants submit this Request for Correction of Notice of Allowance and Return of 1449 Form in order to request correction of two mistakes made by the PTO. Because these two mistakes are not the result of any action taken by Applicants, this paper and any action taken by the PTO should not reduce the Patent Term Adjustment period of 198 days.

First, Applicants have not yet received the PTO 1449 form that accompanied the Information Disclosure Statement Under 37 C.F.R. § 1.97(b) filed on September 30, 2002. Applicants attach a copy of the Information Disclosure Statement, PTO 1449 form, and a postcard stamped by the PTO indicating the date of receipt. Applicants,

thus, respectfully request that the Examiner review, initial, and return the form to Applicants prior to December 30, 2004, the Issue Fee and Publication fee due date, indicating that the documents cited in the Statement were considered.

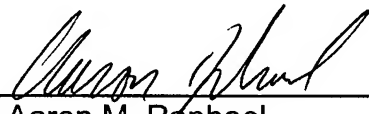
Second, the Notice of Allowability mailed September 30, 2004, mistakenly states that the allowed claims are 1 and 25-31, renumbered as 1-8. On February 23, 2004, Applicants submitted an Amendment Under 37 C.F.R. § 1.111, wherein claims 1-24 were canceled and new claims 25-31 were added. Accordingly, Applicants respectfully request that the Examiner correct the Notice of Allowability so that it reads that the allowed claims are 25-31, renumbered as 1-7.

Please grant any extensions of time required to enter this Request and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 15, 2004

By: 
Aaron M. Raphael
Reg. No. 47,885

OLPE JC98
NOV 15 2004
OFFICE

PATENT
Customer No. 22,852
Attorney Docket No. 03806.0459-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Olivier FAGEBAUME et al.) Group Art Unit: 2164
Application No.: 10/075,369) Examiner: Not Yet Assigned
Filed: February 15, 2002)
For: PROCESS FOR THE)
ELECTROCHEMICAL)
PRODUCTION OF A CARBON-)
CONTAINING MATERIAL WHOSE)
SURFACE IS MODIFIED WITH)
ORGANIC GROUPS, AND USE)
OF THE MODIFIED MATERIAL)

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, application no. 09/383,959, filing date August 27, 1999, which is a continuation application of PCT International Application No. PCT/FR98/00594, filing date March 27, 1997, upon which applicants rely for the benefits provided in 35 U.S.C. § 120.

Applicants respectfully request that the Examiner consider the listed documents and

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP
1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

indicate that they were considered by making appropriate notations on the attached form.

Non-English language document EP 0,569,503 is cited on page 1, line 24, and page 17, lines 9-10, of the specification.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 30, 2002

By: 

Carol L. Cole
Reg. No. 43,555

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com



INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

Atty. Docket No.	03806.0459-01000	Appln. No.	10/075,369
Applicant	Olivier FAGEBAUME et al.		
Filing Date	February 15, 2002	Group:	2164

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		EP 0 569 503	11/18/93	Europe			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Balkenhohl, Friedhelm, et al., "Combinatorial Synthesis of Small Organic Molecules," <u>Angew. Chem. Int. Ed. Engl.</u> , 35, 1996, pp. 2288-2337.
	Früchtel, Jörg S., et al., "Organic Chemistry on Solid Supports," <u>Angew. Chem. Int. Ed. Engl.</u> , 35, 1996, pp. 17-42.
	Thompson, Lorin A., et al., "Synthesis and Applications of Small Molecule Libraries," <u>Chem. Rev.</u> , 96, 1996, pp. 555-600.
	Hermkens, Pedro H.H., et al., "Solid-Phase Organic Reactions: A Review of the Recent Literature," <u>Tetrahedron</u> , 52(13), 1996, pp. 4527-4554.
	Hermkens, Pedro H.H., et al., "Solid-Phase Organic Reactions II: A Review of the Literature Nov 95-Nov 96," <u>Tetrahedron</u> , 53(16), 1997, pp. 5643-5678.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce



TTU-ARJ-CLC

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Olivier FAGEBAUME et al.

Application No.: 10/075,369

Group Art Unit: 2164

Filed: February 15, 2002

Examiner: Not Yet Assigned

For: PROCESS FOR THE ELECTROCHEMICAL PRODUCTION OF A CARBON-CONTAINING MATERIAL WHOSE SURFACE IS MODIFIED WITH ORGANIC GROUPS, AND USE OF THE MODIFIED MATERIAL

-
1. Information Disclosure Statement
 2. Form PTO 1449

Dated September 30, 2002

Docket No.: 03806.0459-01000

Carol L. Cole/Joanne C. Allen - Mail Drop 815B Reston



(Due Date: [Date])

DK 72
10-1-02